



1           The court has reviewed the file and finds the findings  
2 and recommendations to be supported by the record and by the  
3 magistrate judge's analysis.

4           Accordingly, IT IS HEREBY ORDERED that:

- 5           1.   The findings and recommendations filed November 4,  
6 2005, are adopted in full;
- 7           2.   Defendants' motion for summary judgment is  
8 granted;
- 9           3.   All other pending motions are denied as moot; and
- 10          4.   The Clerk of the Court is directed to enter  
11 judgment and close this file.

12  
13 DATED: December 6, 2005

14                               /s/ Garland E. Burrell, Jr.  
15                               GARLAND E. BURRELL, JR.  
16                               United States District Judge  
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